

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FILED
CLERK'S OFFICE
2005 JAN -7 P 4:11

CITY OF CHICOPEE, Acting through the
Chicopee Public Schools,

Plaintiff,

v.

DAVID T. As Parent and next friend of
Kaitlyn T. and MASSACHUSETTS
DEPARTMENT OF EDUCATION,

Defendants.

CIVIL ACTION NO. 04-30087-MAP

**DEFENDANT MASSACHUSETTS DEPARTMENT OF EDUCATION'S MOTION
TO AMEND SCHEDULING ORDER TO ENLARGE, UNTIL JANUARY 11, 2005,
TIME PERIOD WITHIN WHICH TO FILE ITS
(1) OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND
(2) CROSS-MOTION FOR SUMMARY JUDGMENT**

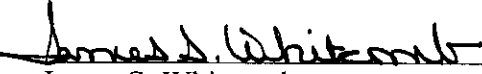
Defendant Massachusetts Department of Education – by and through the Attorney General of the Commonwealth of Massachusetts, its counsel – moves, pursuant to FED. R. CIV. P. 6(b)(1) and 16(b), that the Court amend the *Scheduling Order*, ¶ 3 (docket, paper no. 36) to enlarge, until January 11, 2005, the time period within which the Department may file its (1) opposition to the plaintiff's motion for summary judgment (docket, paper no. 50) and (2) a cross-motion for summary judgment. The Department states that its undersigned counsel of record needs a short additional (and last) enlargement to complete its papers.

CONCLUSION

Wherefore, the Department respectfully requests that this Court allow this motion.

By its attorney,

THOMAS F. REILLY
ATTORNEY GENERAL

By: 
James S. Whitcomb
Assistant Attorney General
Western Massachusetts Division
1350 Main Street
Springfield, MA 01103-1629
(413) 784-1240, ext. 113 (telephone)
(413) 784-1244 (facsimile)
B.B.O. No. 557768

DATED: January 7, 2005.

CERTIFICATE OF SERVICE

I, James S. Whitcomb, Assistant Attorney General, hereby certify that on this 7th day of January 2005, I served the foregoing *Defendant Massachusetts Department of Education's Motion to Amend Scheduling Order to Enlarge, until January 11, 2005, Time Period within which to File its (1) Opposition to Plaintiff's Motion for Summary Judgment and (2) Cross-motion for Summary Judgment* on both other parties by either delivering or mailing – as indicated below – a true copy of the document to each other party's respective counsel of record:

Claire L. Thompson, Esquire
Doherty, Wallace, Pillsbury
& Murphy, P.C.
One Monarch Place
1414 Main Street, 19th Floor
Springfield, MA 01144

(By Delivering)

Derek M. Beaulieu, Esquire
1242 Main Street, Suite 306
Springfield, MA 01103

(By Mailing)


James S. Whitcomb